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ATOMIC ENERGY COMMISSION

WASHINGTON, D.C. 20545

MAR 16 1973

**\*DOE Referral Not Required\***

Ambassador John S. D. Eisenhower  
Chairman, Interagency Classification  
Review Committee  
c/o Mr. David Young  
The White House  
Washington, D.C. 20500

Dear Ambassador Eisenhower:

We believe, on the basis of our experience over the past nine months in the implementation of Executive Order 11652 that its overall aims might be better achieved if some flexibility were provided with regard to the provisions which combine the authority to exempt information from the General Declassification Schedule with the authority to classify information as Top Secret.

We fully agree that both the use of the Top Secret classification and the granting of exemptions from the General Declassification Schedule should be kept to an absolute minimum. At the same time, it is important to note that the action of assigning a Top Secret classification to information is not synonymous with that of designating an exemption category. Assignment of the classification of Top Secret to information involves a high level policy decision, whereas deciding that a document should not be downgraded automatically, while it also involves a policy decision, is, in addition, aligned with operational requirements.

In general, the various departments have limited assignment of Top Secret classification authority to the heads of those organizational units who have had a need to generate Top Secret information. Some of these officials may never have to exempt a document from the GDS.

On the other hand, there are a number of organizational units within departments which never generate any Top Secret information but which do generate documents which should be exempted from the GDS. Under the present rules, these organizations must obtain exemption authority from a Top Secret classifying authority, sometimes at another location, and possibly on a case-by-case basis. Since these organizations are sometimes at considerable distances, possibly even in other cities, operational delays and administrative burdens are

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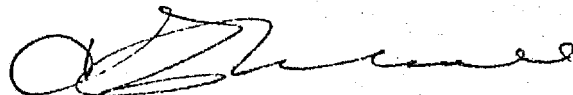
encountered unless the Top Secret classifying authority is willing to grant blanket exemptions. This would seem to be contrary to the spirit of the Executive Order.

Within the AEC, for example, five of the 25 Top Secret authorized classifiers will probably never generate a document requiring exemption from the General Declassification Schedule; while we can now identify at least two field offices and several contractors who do not generate Top Secret information and who do not possess Top Secret classification authority, but who are generating information and documents which require exemption from the GDS.

Without some modification of the pertinent provisions of Executive Order 11652, one is faced with the requirement to increase the number of Top Secret authorizing officials merely to provide appropriate and needed exemption authority.

It is recommended that the Interagency Classification Review Committee consider amendment of the Executive Order so as to permit departmental heads to delegate authority to exempt classified material from the General Declassification Schedule to a limited number of key officials in the department or its contractors not now designated as Top Secret classifiers. We believe that this will (a) maintain the present minimization of the number of Top Secret authorized classifiers, (b) continue the tight controls on the exemption of information from the General Declassification Schedule, and (c) alleviate current inefficiencies and delays which now exist in cases in which needed exemption authority is not available.

Sincerely,



C. L. Marshall, Director  
Division of Classification